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March 18, 2014

Honorable Shelley C. Chapman
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Courtroom 621
New York, NY 10004

Re: In re Lehman Brothers Holdings Inc., Chapter 11
Case No. 08-13555 (SCC) -- Evidentiary
Hearing Scheduled for April 1, 2014

Dear Judge Chapman:

This firm represents many of the claimants who are opposing fourteen Omnibus Objections in which Debtors seek to reclassify their claims for unpaid compensation as equity interests, all referenced below.¹ An evidentiary hearing on these Objections is scheduled for April 1, 2014 (ECF 41589).

On January 24, 2014, the Court (per Peck, J.) so-ordered the parties' Stipulation & Order Establishing Procedures for this hearing (ECF 42176) ("Procedures Order"), a copy of which is enclosed for the Court's convenience. Pursuant to ¶ 11 of the Procedures Order, this firm has identified five claimants to testify at the hearing. Three of these witnesses, Michael Gran, Michael J. Petrucelli and Nestor de Jesus, respectively reside in London, Chicago, and San Juan, Puerto Rico. We write pursuant to paragraph 17 of the Procedures Order to respectfully request the Court's permission for these witnesses to testify telephonically.

Paragraph 17 of the Procedures Order permits *pro se* claimants to testify and make closing arguments telephonically. While the Procedures Order contemplates that counsel representing claimants will be in the courtroom, the Order also recognizes that having individual claimants in Court for relatively brief testimony would impose a disproportional financial burden, and provides for hearing testimony by telephonic appearance at the discretion of the Court. *Id.*, ¶ 17. Messrs. Gran, Petrucelli and de Jesus wish to present their brief testimony by telephone; as their counsel we would be before the Court at all times.

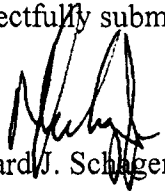
¹ LBHI's fourteen Omnibus Objections seeking to reclassify RSU/CSA claims are Nos. 73, 118, 130, 131, 133, 134, 135, 176, 185, 207, 313, 314, 319 & 347.

Hon. Shelley C. Chapman, U.S.B.J.
March 18, 2014
Page 2

These three witnesses can offer the Court valuable testimony because of their unique backgrounds. Mr. Gran, while an American citizen, resides in London and was a grantee of Contingent Stock Awards, a type of compensation awarded to Lehman's overseas employees. Mr. Petrucelli was a U.S. based employee who was compensated on a commission basis rather than by a salary and bonus. Mr. de Jesus was a Lehman employee who worked as an investment banker in Puerto Rico, who also was compensated by salary and bonus. Each expects to testify no more than 20 to 30 minutes, so their testimony by telephone would not be disruptive of the hearing.

For a prior hearing on these Objections on December 21, 2011, the Court heard by telephone statements by *pro se* claimants and non-resident counsel of represented claimants. We recognize that your Honor's rules disfavor telephonic testimony, but because of the prior practice in this proceeding, the pre-existing order and the disproportionate hardship that would be imposed on these witnesses, we respectfully request permission for this limited telephonic testimony.

Respectfully submitted,


Richard J. Schager, Jr.

RJS/kr

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